

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

HAMMERMAN *et al.*

Serial No.: 09/472,662

Filed: December 27, 1999

For: *Composition and Method for
Improving Function of Embryonic
Kidney Transplants*

Examiner: GUPTA, Anish

Art Unit: 1654

Confirmation No. 9058

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence, including listed enclosures, is being electronically transmitted in Portable Document Form (PDF) through EFS-Web via Hyper Text Transfer Protocol to the United States Patent and Trademark Office's Patent Electronic Business Center on:

Dated: September 25, 2006

Signed: 

Brent Yonehara

**RENEWED PETITION UNDER 37 C.F.R. § 1.181
TO WITHDRAW FROM HOLDING OF ABANDONMENT**

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTN: Paul SHANOSKI, Senior Attorney

Sir:

Applicants/Petitioners have reviewed the Decision on Petition Under 37 C.F.R. § 1.181(A) to withdraw the holding of abandonment mailed July 24, 2006, and hereby request reconsideration based on the following:

In the Decision, the Examining Attorney stated the following as reasons for dismissal in the Decision:

1. Applicants/Petitioners have not established that the response of January 14, 2002 was transmitted to the Patent and Trademark Office, pursuant to 37 C.F.R. § 1.8(a). Specifically, the Examining Attorney indicates Applicants/Petitioners have not supplied an additional copy of this previously transmitted correspondence and certificate;

2. Applicants/Petitioners have not shown that transmission of the aforementioned response of January 14, 2002 was not made on a personal knowledge basis;

3. Even if Applicants/Petitioners supply a copy of the January 14, 2002 transmission, the file would be incomplete because page 4 of the response was missing (as originally noted in the Examiner's communication of January 2, 2002).

Therefore, enclosed please find a copy of the following documents:

1. Facsimile cover sheet to Examiner A. Gupta faxed on January 14, 2002 (1 page);
2. Confirmation transmission result report showing that said transmission was successfully transmitted in full to the Patent and Trademark Office (indicated by the "OK" and pages "11/11" on the report) (1 page);
3. Copy of the Response to Office Action with attached Certificate of Facsimile Transmission, signed and certified by Wendy Wilson, on January 14, 2002 (1 page); and
4. The Response to Office Action and accompanying enclosures (including page 4 of the response), filed October 19, 2001 (9 pages).

Although Applicants/Petitioners does not believe any fees are required, the Commissioner is authorized to charge any fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 50-2319 (Our File- 467084-00036; Our Docket No.: A-68752-1).

Respectfully submitted,
DORSEY & WHITNEY LLP

Dated: Sept. 25, 2006
Customer Number: 32940
Dorsey & Whitney LLP
555 California Street, Suite 1000
San Francisco, CA 94104-1513
Telephone: (415) 781-1989
Facsimile: (415) 398-3249

By: *J.P. Bernhardt*
Jeffery P. Bernhardt, Reg. No. 54,997 for
Richard F. Trecartin, Reg. No. 31,801
Filed Under 37 C.F.R. § 1.34

* * * COMMUNICATION RESULT REPORT (JAN. 14. 2002 10:35AM) * * *

TTI FLEHR HOHBACH TEST

FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
3059 MEMORY TX		G3-F :17033084242	OK	11/11

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 E-1) HANG UP OR LINE FAIL
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E-2) BUSY
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FACSIMILE TRANSMITTAL SHEET

Telephone: (415) 781-1989

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4 Embarcadero Center
 Suite 3400
 San Francisco, CA
 94111-4187

Intellectual Property Law

TO: Examiner Anish Gupta
 Group Art Unit 1653

FAX NO.: (703) 308-4242

FROM: Richard F. Trecartin

RE/FILE NO.: *In re* application of: HAMMERMAN, *et al.*

Serial No. 09/472,662; Filed December 27, 1999

For: COMPOSITION AND METHOD FOR IMPROVING
 FUNCTION OF EMBRYONIC KIDNEY TRANSPLANTS

Our File No. A-68752-1/RFT/RMK

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FACSIMILE TRANSMITTAL SHEET

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Intellectual Property Law

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Our File No. A-68752-1/RFT/RMK

Number of Pages: 11 (including transmittal sheet)

DATE SENT: January 14, 2002

**PLEASE DISREGARD FACSIMILE
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**PLEASE NOTIFY EX. GUPTA
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THANK YOU.

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